IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 5001 OF 2005

Mr. Manoj Kumar Poddar ...Applicant

Versus

R.P. Samant and Anr. ...Respondents

.....

Mr. N.V. Pradhan i/b Ms.S.D. Khot, Advocate for Applicant.

Mr. Rajesh More, A.P.P. for State.

.....

CORAM: SMT. V.K. TAHILRAMANI, J.
DATED: 8TH SEPTEMBER, 2005

P. C.:-

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant has prayed for quashing of process issued against him in Criminal Case No.691/SL/2005 which is pending in the Court of learned Metropolitan Magistrate, 5th Court, Dadar, Mumbai. In the said case, process has been issued against the applicant under Sections 18(1), 18(2), 18(3) and 22F of the Minimum Wages Act, 1948 r.w. Rule 27 (1), 27(2) and 21(1) of the Maharashtra Minimum Wages Rules, 1963.

3. For the reasons recorded in my order dated 13th June, 2005 passed in Criminal Writ Petition No.213 of 2005 and order dated 21st June, 2005 passed in Criminal Application No. 550 of 2005, the applicant

has an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my opinion, it would be appropriate that the applicant prefers revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicant to prefer revision before the concerned Sessions Court. The learned advocate for the applicant states that the necessary revision would be preferred within a period of four weeks from today. I am informed that the date before the trial court is on 20.9.2005. In view of this statement, the trial Court shall not proceed with the trial for on 20.9.2005 and for a period of two weeks thereafter.

5. On the necessary revision being preferred by the applicant before the concerned Sessions Court, the concerned Sessions Court shall dispose of the same on merits after hearing necessary parties.

6. Applications are disposed of.

*****